

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SUNDAY TOLLEFSON,

Plaintiff,

v.

MICROSOFT CORPORATION, SUDEV  
MUTHYA, AND JOHN DOE #1

Defendants.

No. 2:18-cv-01617

**DECLARATION OF KENNETH J.  
DIAMOND IN SUPPORT OF  
DEFENDANT'S NOTICE OF REMOVAL**

I, Kenneth J. Diamond, declare:

**1. Declarant.** I am counsel for Defendant Microsoft Corporation ("Microsoft") in the above-captioned case. I am over 18 years of age, have personal knowledge of the facts set forth in this declaration and am competent to testify to them.

**2.** Plaintiff's Complaint was filed on September 10, 2018, but Microsoft was not served with the Summons and Complaint.

**3.** On October 9, 2018, I advised Gail Luhn, Plaintiff's counsel, that I was authorized to accept service of the Summons and Complaint for Microsoft.

4. On October 22, 2018, Ms. Luhn emailed me copies of the Summons and Complaint, together with a declaration to sign acknowledging receipt and acceptance of service of process on Microsoft's behalf and as authorized by Microsoft.

5. On November 5, Plaintiff filed an Amended Complaint. Ms. Luhn sent me a copy via email. The Amended Complaint adds two individual defendants (one by name and the other as John Doe #1) but no new claims against Microsoft. To my knowledge, neither individual defendant has been served with the Summons and Amended Complaint.

6. On November 5, 2018, I signed and returned to Ms. Luhn the declaration referenced in paragraph 4, above.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

SIGNED this 6th day of November, 2018, at Seattle, Washington

s/ Kenneth J. Diamond  
Kenneth J. Diamond

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON**

I hereby certify that on November 6, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Gail L. Luhn  
LUHN LAW PLLC  
4500 9th Ave NE, Suite 300  
Seattle, WA 98105  
Gail.Luhn@LuhnLawPLLC.com

DATED this 6<sup>th</sup> day of November, 2018.

s/ Adam Love  
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Adam Love  
Legal Assistant  
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